

Notice of Allowability

Application No.	Applicant(s)	
09/903,645	GERHARDS ET AL.	
Examiner	Art Unit	
Chieh M. Fan	2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed 3/10/05.
2. The allowed claim(s) is/are 1-20.
3. The drawings filed on 13 July 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.
(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
7. IDENTIFYING INDICIA such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. <input type="checkbox"/> Notice of References Cited (PTO-892)	5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.
3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____.	7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance
	9. <input type="checkbox"/> Other _____.

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Aaron Waxler on 06/09/05.

The application has been amended as follows:

In the claims:

- a. In claim 2, line 6, "at a plurality of different times" has been changed to --- at a first plurality of different times ---.
- b. In claim 2, line 16, "a first plurality" has been changed to --- said first plurality ---.
- c. In claim 3, line 7, "at a plurality of different times" has been changed to --- at a first plurality of different times ---.
- d. In claim 3, line 18, "a first plurality" has been changed to --- said first plurality ---.
- e. In claim 4, line 5, "at a plurality of different times" has been changed to --- at a first plurality of different times ---.

- f. In claim 4, line 8, "means for a second search" has been changed to --- means for initiating a second search ---.
- g. In claim 4, line 15, "a first plurality" has been changed to --- said first plurality ---.
- h. In claim 5, line 9, "said bit stream" has been changed to --- said bit stream with said reference code applied to said bit stream at a first plurality of times ---.
- i. In claim 5, line 18, "a first plurality" has been changed to --- said first plurality ---.
- j. In claim 11, line 3, "at a resolution" has been changed to --- at a chip resolution ---.
- k. In claim 13, lines 3-4, "said resolution" has been changed to ---said chip resolution ---.
- l. In claim 18, lines 10-11, "said bit stream" has been changed to --- said bit stream with said reference code applied to said bit stream at a first plurality of times ---.
- m. In claim 18, lines 19-20, "a first plurality" has been changed to --- said first plurality ---.
- n. In claim 18, line 20, "a combined set correlation values" has been changed to --- a combined set of correlation values ---.
- o. In claim 19, line 4, "said searcher" has been changed to --- said integrated circuit ---.

p. In claim 20, line 1, "(Currently Amended)" has been changed to ---
(Original) ---.

Statement of Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

Claim 1 is allowable over the prior art of record because the prior art of record does not teach or suggest "said reference code being offset in time from a maximal correlation value of said first set, and selecting out of said first and said second sets a maximal correlation value for use in calculating a strength of said predefined code in said bit stream."

Claims 2-4 recite similar allowable subject matter identified above in claim 1 and are therefore allowable.

Regarding claims 5-17, the prior art of record does not teach the limitation "said reference code being offset in time from a maximal correlation value of said first set such that said reference code is applied to said bit stream at times other than times of said first plurality, said first and second sets of correlation values being operable to be used for determining a measure of the strength of said predefined code in said bit stream."

Regarding claims 18-20, the prior art of record does not teach the limitation "said reference code being offset in time from a maximal correlation value of said first set such that said reference code is applied to said bit stream at times other than times of said first plurality, to produce a combined set of correlation values being operable to be

used for determining a measure of the strength of said predefined code in said bit stream."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chieh M Fan whose telephone number is (571) 272-3042. The examiner can normally be reached on Monday-Friday 8:00AM-5:30PM, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2634

Chieh M Fan

Chieh M Fan
Primary Examiner
Art Unit 2634

cmf
June 9, 2005